

## Anthony Zappin

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### **BY ECF**

Hon. Katherine Polk Failla  
United States District Judge  
Thurgood Marshall U.S. Courthouse  
40 Foley Square, Courtroom 618  
New York, NY 10007

Re: Zappin v. Doyle et al. – Case No. 17-cv-8837-KPF

Dear Judge Failla:

I write to request an extension until the end of the day today to file my motion for leave to file a second amended complaint. The Court had directed that the motion for leave be filed yesterday, February 28. (*See* Dkt. No. 75.)

While attempting to make the appropriate redactions last night to the proposed second amended complaint and accompanying exhibits, my Adobe Acrobat software repeatedly crashed while processing the documents and corrupted some of my PDF files. I was therefore not able to apply the appropriate redactions for filing as required by the Court's rules. I have purchased new software and anticipate being able to file the motion with appropriate redactions this evening. Since the Court harshly criticized my filing of the original complaint that inadvertently contained my child's name in screenshots that were not picked up by OCR, I have attempted to take great care to redact confidential information in the proposed second amended complaint. A number of the documents highly relevant to the claims in this action unavoidably contain the child's name.

There will be no prejudice or undue delay for a one day extension. The State Defendants in this action have not even joined issue, no discovery has taken place and there is no scheduling order, apart from the previous briefing schedule the Court directed with respect to Defendant Vance's motion to dismiss. I will certainly consent to any extension of time for Defendants to submit opposition papers to the motion for leave that the Court deems appropriate.

I thank the Court for its consideration and attention to this matter.

Respectfully submitted,



Anthony Zappin

cc: Michael Berg  
Robin McCabe